

REMARKS

Status of the Claims

Claims 1-5, 9, 12, and 16 are pending in the present application, with Claims 1 and 9 being independent. Claims 6-8, 10-11, 13-15, and 17 are canceled without prejudice. Claims 1-5, 9, 12, and 16 are amended.

Requested Action

Applicants request favorable reconsideration of the subject application in view of the foregoing amendments and the following remarks.

Substantive Rejection

Claims 1-4 and 7-13 are rejected under 35 U.S.C. § 102(b) over the publication Golden Eye: 007 (<http://gamefreaks365.com/review.php?artid=38>). In addition, at page 9 the Examiner also cites the Wikipedia entry for this game at http://en.wikipedia.org/wiki/GoldenEye_007 to show an example of a single window system and a split screen multi-player system. Further, Claims 5, 6, and 14-17 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 4,959,719 (Strubbe et al.) in view of the publication “The Xbox Live FAQ” by Boulding. Claims 14-17 are also rejected under 35 U.S.C. § 103(a) over the publication Golden Eye: 007 in view of the Boulding publication.

Response to Rejections

In response, while not conceding the propriety of the rejections, independent Claims 1 and 9 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Independent Claim 1 relates to a display apparatus operated by a remote control apparatus comprising a display unit, and a communication portion configured to communicate with the first and the second remote control devices.

Claim 1 has been amended to recite that the remote control apparatus includes physically attachable and detachable first and second remote control devices that can be switched between a combined state in which the first and second remote control devices are physically attached to each other and a separated state, in which the first and second remote control devices are physically separated from each other.

Claim 1 has also been amended to recite a control portion configured to change the number of display picture frames displayed on the display unit in accordance with whether the first and second remote control devices are physically attached to or separated from each other.

In contrast, the publication to Golden Eye: 007 at (<http://gamefreaks365.com/review.php?artid=38>), and the Wikipedia entry for this game at http://en.wikipedia.org/wiki/GoldenEye_007, are not understood to disclose or suggest remote control apparatus that includes physically attachable and detachable first and second remote control devices that can be switched between a combined state in which the first and second remote control devices are physically attached to each other and a separated state, in which the first and second remote control devices are physically separated from each other, as recited by

amended Claim 1. In addition, these publications are not understood to disclose or suggest a display apparatus comprising a control portion configured to change the number of display picture frames displayed on the display unit in accordance with whether the first and second remote control devices are physically attached to or separated from each other, as also recited by amended Claim 1. Rather, the publications relating to the Golden Eye: 007 game are merely understood to disclose a conventional multi-player networked games in which different users who may be in different locations play a video game with a single remote control that is not disclosed to be physically attachable to or detachable from the other remote controls.

Since amended Claim 1 recites at least one feature not understood to be disclosed or suggested by the publications to Golden Eye: 007, Applicants submit that the Office has not yet satisfied its burden of proof to establish anticipation of amended Claim 1 over these publications. For this reason, Applicants respectfully request that the rejection of Claim 1 be withdrawn. And because Claim 9 has been amended in a similar way, it is submitted to be allowable for similar reasons.

The dependent claims are allowable for the reasons given with respect to the independent claims and because they recite features which are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the claims are now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Gary M. Jacobs/

Gary M. Jacobs
Attorney for Applicants
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
GML/llp

FCHS_WS 1473054v1